

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JAMES A. WILSON, et al., )  
Plaintiffs, )  
v. ) C.A. No. 05-399-JJF  
STANLEY TAYLOR, et al., )  
Defendants. )

AFFIDAVIT OF MELVIN HENNESSY

I, Melvin Hennessey, having been duly sworn according to the law, do hereby depose and state the following:

1. I am employed by the State of Delaware, Department of Correction at the Sussex Correctional Center ("SCI"), in Georgetown, Delaware as shift lieutenant. I have been employed by the Department of Correction for 23 years. My duties include acting as disciplinary hearing officer I have held this position since 2000.
2. In response to a request from the State of Delaware Department of Justice, I have reviewed information regarding Nathan Henry and his job and housing during 2005, and provide information regarding inmate jobs at
3. It is explained to inmates that having a job is a privilege, not a right. They need to earn that privilege. Inmates generally are given less desirable jobs first. If their work performance is appropriate, and they demonstrate that they are dependable, and possess the ability to perform more skilled labor, they may advance to other jobs in the prison as those jobs become available.
4. Inmates who have no skills and who, for example have difficulty reading, are not going to be given jobs that require that skill. As with any workforce, those who demonstrate that they

have the skills to perform a particular job will be considered for that job if it becomes available.

4. The Merit building is an honor building, and an inmate must be in a program and working in order to stay in this building. The inmate must also be free of disciplinary write-ups.

5. An inmate can be fired from a job without a disciplinary report if he performs poorly at the job.

6. In 2005, Nathan Henry had a job as a janitor. He lived in the Merit building.

7. After an incident on May 22, 2005, when Inmate Henry did not follow an order to clean the showers properly, he received a loss of privileges for one day. His job and his housing were affected by this incident.

8. As of December, 2005, Nathan Henry's classification shows that he requested to not have a job so that he can work on obtaining his G.E.D.

9. I have made these statements based upon my personal knowledge, specialized training, and experience as an employee of the Department of Correction.

*Melvin Hennessy*  
Melvin Hennessy

SWORN TO AND SUBSCRIBED BEFORE ME THIS 19th DAY OF April,

2006.

*Rhonda Lee Zawora*  
NOTARY

RHONDA LEE ZAWORA  
NOTARY PUBLIC, STATE OF DELAWARE  
My Commission Expires April 20, 2006